

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:14-CR-078-O

R V KERR III (15)

FACTUAL RESUME

INDICTMENT: Count One: Conspiracy to Possess a Controlled Substance with intent to Distribute (methamphetamine)
(in violation of 21 U.S.C. §§ 846; 841(a)(1) and (b)(1)(B))

PENALTY: \$5,000,000 fine - not less than 5 years imprisonment and not more than 40 years imprisonment, or both such fine and imprisonment, plus a term of supervised release of not less than 4 years.

MAXIMUM PENALTY:

\$5,000,000 fine and not less than five (5) years imprisonment nor more than forty (40) years imprisonment, plus a term of supervised release of not less than 4 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offenses charged in Count One of the Indictment are as follows:

First: That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a controlled substance, as charged in the indictment;

Second: That the defendant knew of the unlawful purpose of the agreement;

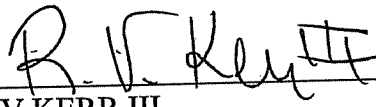
Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and


Fourth: That the overall scope of the conspiracy involved at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

STIPULATED FACTS:

Starting around January 2011 and continuing into 2012, RV Kerr, III sold two "eight balls" of methamphetamine to his cousin, Woodrow "Woody" Wilson Head. In 2012, Woody Head brought Cory Davis and Arnold Torres over to his house (RV Kerr's house) on at least two occasions where they bought between two-and-one-half to three ounces of methamphetamine each time, from Kerr. On another occasion, Billy Gentry traded marijuana with RV Kerr for methamphetamine. In this manner, RV Kerr, III conspired with others, such as Woodrow Head and Billy Gentry to possess with intent to distribute more than 50 grams of methamphetamine.

SIGNED this _____ day of _____, 2014.


R V KERR III
Defendant


DANNY BURNS
Counsel for Defendant